

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARISSA COPE,

Plaintiff,

v.

GENE BUTMAN FORD SALES, INC.;
LOWELL'S TOWING, INC.; NICK BUTMAN;
and CHRIS NESBITT,

Defendants.

Case No. 12-14505

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Charissa Cope filed a complaint in this matter alleging 17 causes of action against the defendants. Count I alleges violations of the Truth in Lending Act; Count II alleges violations of the Equal Credit Opportunity Act; Count V alleges, in part, violations of the Uniform Commercial Code; and Count X alleges violations of the Fair Debt Collection Practices Act. The remaining counts allege violations of Michigan state law and the common law. The parties to this action are not diverse.

Although Plaintiff's causes of action arising under federal statutes are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based solely on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts III, IV, VI, VII, VIII, IX, XI, XII, XIII, XIV, XV, XVI and XVII are **DISMISSED**, as is Count V to the extent it alleges a violation of Michigan law.

s/John Corbett O'Meara
United States District Judge

Date: February 27, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, February 27, 2013, using the ECF system.

s/William Barkholz
Case Manager